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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/768,793

01/29/2004

Michael Dayoub

7123

38507

7590

02/07/2006

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EXAMINER

PHAM, LAM P

ART UNIT

PAPER NUMBER

2636

DATE MAILED: 02/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

all

<b>Office Action Summary</b>	Application No. 10/768,793	Applicant(s) DAYOUB, MICHAEL	
	Examiner Lam P. Pham	Art Unit 2636	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE **3** MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 November 2005.  
 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.  
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 25-32 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
 6) ☒ Claim(s) 25-32 is/are rejected.  
 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \* c) ☐ None of:  
         1. ☐ Certified copies of the priority documents have been received.  
         2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
         3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 25-32 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Claim 25, 32 recites the limitation "all internal circuitry of the power strip" in line 2, 3 respectively. There is insufficient antecedent basis for this limitation in the claim because "all internal circuitry" is a quantity and there are no previous listing of the internal circuitry, therefore, it is not clear how many and what type of circuitry "all internal circuitry" would comprise in the single housing.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 25, 27, 30 rejected under 35 U.S.C. 102(b) as being anticipated by Luu (US 2001/0046815 A1).

Regards claim 25, Luu disclose a power strip (wall plate cover or adapter) comprising:

a single housing that encloses internal circuitry (surge protector or circuit breaker) of the power strip; and

a smoke detector (Figure 11) disposed within the single housing as seen in Figures 1-14; [0009] to [0011], [0029] to [0044].

Regards claim 27, Luu discloses the internal circuitry includes one surge protection circuitry as seen in Figure 12; [0042].

Regards claim 30, Luu disclose the housing includes means (screw 20) for mounting the power strip to a vertical surface as seen in Figures 1-2; [0029].

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 26, 28, 29, 31 rejected under 35 U.S.C. 103(a) as being unpatentable over Luu in view of Stark et al. (5625345).

Regards claim 26, Luu fails to disclose the internal circuitry includes a smoke detection control switch.

Stark et al. teach of a smoke detection control switch (110) as seen in col. 4, lines 24-39.

In view of Stark teaching, it would have been obvious to one of ordinary skilled in the art to include a smoke detection control switch in the internal circuitry of the power strip for control smoke detection.

Regards claim 28, Luu fails to disclose expressly the smoke detector is selected from the group comprised of at least one of an ionization sensor smoke detector, a photodiode sensor smoke detector and a beam interference smoke detector. It has been well known in the art of smoke detector to use smoke detector from the group comprised of at least one of an ionization sensor smoke detector, photodiode sensor smoke detector or beam interference smoke detector.

Stark et al. in "Fire Safety Apparatus" teach of an ionization sensor (46) in the smoke detector unit (32) as seen in Figure2; col. 3, lines 18-22.

In view of stark et al. teaching, it would have been obvious to one of ordinary skilled in the art to select a smoke detector comprising an ionization smoke detector.

Regards claim 29, Luu fails to disclose smoke detector includes an audible alarm. It has been well known in the art of smoke detector to have an audible alarm in the detector for sounding when smoke is detected.

Stark et al. in "Fire Safety Apparatus" teach of a smoke detector unit (32) having an audible alarm (44) and an ionization smoke sensor (46) as seen in Figure 2; col. 3, lines 9-22.

In view of Stark et al. teaching, it would have been obvious to one of ordinary skilled in the art to include an audible alarm with the smoke detector for sounding an alarm when smoke detected.

Regards claim 31, Luu fails to disclose the housing includes at least one reset switch for reestablish power flow to devices attached to the power strip after a power surge, electrical short or smoke detection.

Stark et al. teach of a reset switch (102) for resetting an alarm and reestablishing power flow to devices attached to the power strip as seen in Figure 6; col. 4, lines 24-39.

In view of Stark teaching, it would have been obvious to one of ordinary skilled in the art to include a reset switch in the housing of Luu in order to reestablish power flow to devices attached to the power strip after a power surge, short circuit, or smoke detection as taught by Stark.

8. Claim 32 rejected under 35 U.S.C. 103(a) as being unpatentable over Stark et al. in view of Luu. (US 2001/0046815A1).

Regards claim 32, Stark et al. disclose a method for automatically terminating power supplied to devices connected to a power strip having a housing enclosing internal circuitry and one or more female A/C outlets, said method comprising the steps of:

detecting smoke by a smoke detector (122) disposed within a housing;

creating a trigger voltage; and

the trigger voltage causing the internal circuitry to restrict power flow to the one or more female A/C outlets as seen in Figure 7; col. 5, lines 35-67; col. 6, lines 1-20.

However, Stark et al. fail to disclose the housing is a single housing containing the internal circuitry and the smoke detector.

Luu in "Method of providing electrical energy to devices without using prongs" teaching of a power strip (wall plate cover) housing enclosing both a smoke detector and internal circuitry in the housing as seen in Figures 1-14; [0009] to [0011], [0029] to [0044].

In view of Luu teaching, it would have been obvious to one of ordinary skilled in the art to have a single housing enclosing a smoke detector and internal circuitry of a power strip in order to save space.

### ***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Luu (US 2004/0142601A1) disclose an adapter wall plate assembly with integrated electrical function.

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed; and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lam P. Pham whose telephone number is 571-272-2977. The examiner can normally be reached on 9AM-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffery A. Hofsass can be reached on 571-272-2981. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lam Pham  
February 3, 2006.



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